

TABLE OF CONTENTS

CHAPTER 1: INTRODUCTION.....	1-1
SECTION 1: INTRODUCTION TO THE PROJECT SERVICING HANDBOOK..... 1-1	
1.1 ABOUT THIS HANDBOOK	1-1
1.2 COMPANION MULTI-FAMILY HOUSING HANDBOOKS	1-1
1.3 USING THIS HANDBOOK	1-2
A. Citations and Text Boxes	1-2
B. Attachments and Appendices	1-2
C. Terminology	1-2
SECTION 2: OVERVIEW OF THE AGENCY'S MULTI-FAMILY HOUSING PROGRAMS.... 1-5	
1.4 GOALS OF RHS MULTI-FAMILY HOUSING PROGRAMS.....	1-5
1.5 SECTION 515 PROGRAM—OVERVIEW	1-5
1.6 SECTION 514/516 PROGRAMS—OVERVIEW.....	1-5
A. Section 514 Loans and Section 516 Grants for Off-Farm Housing.....	1-6
B. Section 514 Loans for On-Farm Housing.....	1-6
SECTION 3: GENERAL PROGRAM REQUIREMENTS 1-7	
1.7 CIVIL RIGHTS [<i>7 CFR 3560.2</i>]	1-7
A. Nondiscrimination.....	1-8
B. Reasonable Accommodations for Persons with Disabilities	1-8
C. Limited English Proficiency [<i>7 CFR 3560.2</i>]	1-8
D. Civil Rights Impact Analysis	1-8
1.8 REVIEWS AND APPEALS [<i>7 CFR 3560.9</i>].....	1-9
A. Informing Program Participants of Their Rights.....	1-9
B. Adverse Decisions That Cannot BeAppealed.....	1-9
C. Informal Review.....	1-10
D. Mediation or ADR.....	1-10
E. Appeal.....	1-13
1.9 CONFLICT OF INTEREST [<i>7 CFR 3560.10</i>].....	1-13
A. Borrower Disclosure	1-14
B. Agency Employee Disclosure	1-14
C. Disposition of Real Estate Owned Properties.....	1-14
1.10 OTHER FEDERAL REQUIREMENTS	1-15
A. Environmental Requirements [<i>7 CFR 3560.3 and 3560.4</i>].....	1-15
B. Construction Standards.....	1-15
C. Lobby Restrictions	1-15
D. Administrative Requirements.....	1-15

1.11 EXCEPTION AUTHORITY [7 CFR 3560.8].....	1-16
ATTACHMENT 1-A: EQUAL CREDIT OPPORTUNITY ACT (ECOA)	
ATTACHMENT 1-B: ATTACHMENT TO LETTER NOTIFYING CUSTOMERS OF AN ADVERSE DECISION THAT IS APPEALABLE	
ATTACHMENT 1-C: ATTACHMENT TO LETTER NOTIFYING CUSTOMERS OF AN ADVERSE DECISION THAT CANNOT BE APPEALED	
ATTACHMENT 1-D: ATTACHMENT TO LETTER NOTIFYING CUSTOMERS OF UNFAVORABLE DECISION REACHED AS A RESULT OF AN INFORMAL REVIEW	
ATTACHMENT 1-E: ATTACHMENT FOR NOTIFYING CUSTOMERS THAT REQUEST MEDIATION IN STATES WITH A USDA-SPONSORED MEDIATION PROGRAM	
ATTACHMENT 1-F: ATTACHMENT FOR REQUESTING MEDIATION OR ALTERNATIVE DISPUTE RESOLUTION (ADR) SERVICES	
ATTACHMENT 1-G: ATTACHMENT FOR NOTIFYING CUSTOMERS THAT REQUEST MEDIATION OR ALTERNATIVE DISPUTE RESOLUTION (ADR) OF SERVICE PROVIDER	
ATTACHMENT 1-H: ATTACHMENT FOR NOTIFYING CUSTOMERS THAT REQUEST MEDIATION OR ALTERNATIVE DISPUTE RESOLUTION (ADR) OF POTENTIAL SERVICE PROVIDERS	
ATTACHMENT 1-I: ATTACHMENT FOR NOTIFYING CUSTOMERS THAT MEDIATION OR ALTERNATIVE DISPUTE RESOLUTION (ADR) DID NOT RESULT IN RESOLUTION OF ISSUES	

CHAPTER 2: MULTI-FAMILY HOUSING PROGRAMS AND LOAN SERVICING .. 2-1

2.1 INTRODUCTION.....	2-1
SECTION 1: SECTION 515 PROGRAM.....	2-1
2.2 OVERVIEW	2-1
2.3 TYPES OF PROJECTS	2-1
A. Family Projects.....	2-2
B. Elderly Projects	2-2
C. Congregate Projects.....	2-2
D. Group Homes	2-2
E. Rural Cooperative Housing	2-2
F. Mixed Projects	2-3
2.4 TYPES OF LOANS	2-3
A. Initial Loans	2-3
B. Subsequent Loans.....	2-4
C. Assumed Loans	2-4
2.5 AGENCY RENTAL ASSISTANCE	2-4
2.6 PREFERENCE FOR PROJECTS THAT LEVERAGE OTHER FUNDS	2-5
SECTION 2: SECTION 514/516 PROGRAM.....	2-7
2.7 TYPES OF PROJECTS	2-7
A. Off-Farm Labor Housing	2-7

B. On-Farm Labor Housing	2-7
2.8 LOANS AND GRANTS.....	2-7
A. Farm Labor Housing Loans.....	2-7
B. Farm Labor Housing Grants.....	2-8
2.9 RENTAL ASSISTANCE.....	2-8
2.10 PREFERENCE FOR PROJECTS THAT LEVERAGE OTHER FUNDS	2-8
SECTION 3: OVERVIEW OF MULTI-FAMILY PROJECT SERVICING.....	2-9
2.11 KEY PROJECT SERVICING ACTIVITIES AND THIS HANDBOOK.....	2-9
2.12 PROJECT SERVICING PROCEDURES FOR MULTI-FAMILY HOUSING PROJECTS	2-9
A. Automated Systems (Chapter 3).....	2-9
B. Account Servicing (Chapter 4).....	2-10
C. Ownership and Organizational Changes (Chapter 5)	2-10
D. Determination of Project Suitability (Chapter 6).....	2-10
E. Transfers of Project Ownership (Chapter 7).....	2-10
F. Security Restructuring Requests (Chapter 8)	2-10
G. Unauthorized Assistance (Chapter 9)	2-10
H. Compliance Violations, Defaults, and Workout Agreements (Chapter 10).....	2-11
I. Loan Restructuring (Chapter 11).....	2-11
J. Account Foreclosure and Liquidation (Chapter 12)	2-11
K. Other Special Cases (Chapter 13).....	2-11
L. Management and Disposal of Real Estate Owned Property (Chapter 14)	2-11
M. Project Preservation (Chapter 15).....	2-11
CHAPTER 3: AUTOMATED SYSTEMS.....	3-1
3.1 INTRODUCTION.....	3-1
3.2 MANAGEMENT INTERACTIVE NETWORK CONNECTION	3-1
A. Background	3-1
B. Purpose and Capabilities	3-2
C. Staff Responsibilities.....	3-2
D. Benefits of MINC.....	3-3
E. Staff Training and Certification Requirements.....	3-4
3.3 AUTOMATED MULTI-FAMILY HOUSING ACCOUNTING SYSTEM.....	3-4
A. Purpose and Capabilities	3-4
B. Staff Responsibilities.....	3-4
C. Staff Training and Certification Requirements.....	3-5
3.4 MULTI-FAMILY INFORMATION SYSTEM.....	3-7
A. Purpose and Capabilities	3-7
B. Major Components of MFIS	3-8
C. Staff Responsibilities.....	3-9
3.5 PREPAYMENT TRACKING AND CONCURRENCE	3-9
3.6 FURTHER INFORMATION.....	3-10

CHAPTER 4: ACCOUNT SERVICING.....4-1

4.1 INTRODUCTION.....	4-1
4.2 OVERVIEW	4-1

**SECTION 1: ACCOUNT SERVICING REQUIREMENTS
[7 CFR 3560.403 AND 7 CFR 3560.404].....4-1**

4.3 LOAN PAYMENTS	4-1
4.4 LATE FEES (PASS ACCOUNTS ONLY).....	4-2
4.5 LATE FEE WAIVERS	4-2
4.6 PAST DUE ACCOUNTS	4-2
A. Past Due Payments	4-2
B. Interest on Past Due Payments (PASS Accounts Only)	4-3
C. Special Servicing Action	4-3
4.7 CONVERSION FROM DIAS TO PASS.....	4-3
4.8 FINAL LOAN PAYMENTS	4-3

SECTION 2: PROCESSING TENANT CERTIFICATIONS.....4-5

4.9 OVERVIEW	4-5
4.10 REQUIREMENTS OF THE RULE.....	4-5
4.11 GENERAL PROCEDURES	4-5
A. Timely Submission and Overage Charges for Late Submissions.....	4-5
B. Waivers of Overage.....	4-5
C. Verification and Processing of Certifications.....	4-6
D. Approval of Subsidy	4-6

SECTION 3: LOAN PAYMENT PROCESSING 4-7

4.12 OVERVIEW	4-7
4.13 NOTIFICATION TO BORROWERS OF PAYMENTS DUE.....	4-7
A. Factors Used to Determine Payment Amount.....	4-7
B. Calculating Payment Amount.....	4-7
C. Borrower Verification Of Payment Data.....	4-8
4.14 PAYMENT DUE DATES	4-8
4.15 PROCEDURES FOR PROCESSING PAYMENTS	4-9
A. Overview	4-9
B. Borrower Submission	4-10
C. Application of Payments	4-12
4.16 ASSESSMENT OF LATE FEES.....	4-13
A. Agency Approval of Waivers Procedures for Granting Late Fee Waivers	4-13
B. Required Submissions from Borrower to Receive a Waiver	4-14
C. Notification upon Granting A Waiver	4-14
D. Denying Waivers.....	4-14

4.17 SPECIAL CIRCUMSTANCES	4-14
A. Reapplication of Payments.....	4-14
B. Overpayments and Refunds.....	4-14
C. Recoverable and Nonrecoverable Cost Items.....	4-15
SECTION 4: ACCOUNT TRACKING AND SERVICING.....	4-15
4.18 OVERVIEW	4-15
4.19 ACCOUNT TRACKING PROCEDURES	4-15
A. Conditions for Conversion from DIAS to PASS.....	4-15
B. Procedures for Conversion from DIAS to PASS.....	4-15
C. Account Reviews.....	4-16
4.20 SERVICING ACCOUNTS THAT ARE 30 DAYS PAST DUE.....	4-16
4.21 SPECIAL CIRCUMSTANCES	4-16
A. Same Terms Transfers.....	4-16
B. Overpayments and Advance Regular Payments.....	4-16
SECTION 5: FINAL LOAN PAYMENT [7 CFR 3560.404]	4-17
4.22 OVERVIEW	4-17
4.23 PROCESSING FINAL LOAN PAYMENTS	4-17
A. Payment Amount Determined	4-17
B. Funds Shifted from Supervised Bank Account.....	4-17
C. Forms Processed.....	4-18
D. Payments Applied.....	4-18
E. Security Documents Released	4-18
F. Release of Interest in Insurance.....	4-18
G. Special Circumstances.....	4-19
H. State Supplements	4-19
I. Redelegation of Authority	4-19
CHAPTER 5: OWNERSHIP AND ORGANIZATION CHANGES [7 CFR 3560.405]	5-1
5.1 INTRODUCTION.....	5-1
5.2 OVERVIEW OF CHANGES REQUIRING PRIOR AGENCY CONSENT	5-1
5.3 REQUIREMENTS FOR OBTAINING AGENCY CONSENT	5-1
A. Overview	5-1
B. Written Request	5-2
C. Assumption of All Applicable Responsibilities by New Interests.....	5-3
D. Assumption of Liability by Substitute General Partner.....	5-3
E. Satisfaction of Eligibility Requirements.....	5-3
5.4 BORROWER REQUESTS FOR CONSENT	5-3
5.5 AGENCY REVIEW OF BORROWER REQUESTS	5-3
A. Overview	5-3
B. Loan Servicer and State Director Actions	5-4

5.6 DOCUMENTATION OF CHANGES	5-4
CHAPTER 6: DETERMINATION OF PROJECT SUITABILITY	6-1
6.1 INTRODUCTION.....	6-1
6.2 WHEN TO CONSIDER SUITABILITY	6-1
6.3 KEY STEPS TO COMPLETING A SUITABILITY REVIEW	6-2
6.4 ANALYSIS OF OWNERSHIP.....	6-2
6.5 DETERMINATION OF NEED	6-3
A. Information Gathering.....	6-3
B. Analysis.....	6-3
C. Determination.....	6-6
6.6 DETERMINATION OF SITE OR BUILDING OBSOLESCENCE.....	6-6
A. Information Gathering.....	6-6
B. Analysis.....	6-7
C. Determination.....	6-9
6.7 DETERMINING IF THE PROPERTY IS SUITABLE.....	6-10
A. Tenant Notification	6-10
B. No Longer Suitable Determination.....	6-11
C. Borrower Responsiveness	6-11
D. Other Factors.....	6-11
E. Take a Different Course of Action	6-12
6.8 REGULAR VS. EXPEDITED REVIEW.....	6-12
A. Preliminary Determination.....	6-12
B. Regular Review	6-12
C. Expedited Review.....	6-13
6.9 CHANGING A PROJECT'S DESIGNATION TO NON-PROGRAM.....	6-13
A. Determine Implementation Plan.....	6-13
B. Assist Tenants.....	6-14
C. Designate the Property as Non-Program	6-14
CHAPTER 7: TRANSFERS OF PROJECT OWNERSHIP [7 CFR 3560.406]	7-1
7.1 INTRODUCTION.....	7-1
SECTION 1: OVERVIEW	7-1
7.2 AGENCY OBJECTIVE.....	7-1
7.3 KEY ANALYTICAL CONCEPTS.....	7-2
A. Eligibility	7-2
B. Feasibility	7-2
C. Improve or Maintain Risk Levels.....	7-3
7.4 DEFINITION OF TRANSFER.....	7-3

7.5 CONDITIONS WHEN A TRANSFER MAY OCCUR	7-3
7.6 KEY STEPS TO COMPLETING A TRANSFER	7-4
SECTION 2: PRELIMINARY ASSESSMENT	7-5
7.7 REQUIRED DOCUMENTATION FOR THE INITIAL TRANSFER REQUEST.....	7-5
7.8 INITIAL AGENCY DETERMINATION.....	7-6
A. Application Meeting.....	7-6
B. Review Eligibility.....	7-7
C. Consider Feasibility.....	7-7
D. Consider Market Conditions	7-7
E. Analyze Project Suitability	7-8
7.9 INITIAL DETERMINATION	7-8
A. Decision to Proceed.....	7-8
B. Regular vs. Limited Review	7-8
C. Inviting the Complete Application	7-9
SECTION 3: PROCESSING TRANSFER APPLICATION AND DETERMINING ELIGIBILITY	7-11
7.10 RECEIVING A COMPLETE APPLICATION [<i>7 CFR 3560.406(c) and (d)</i>]	7-11
7.11 DETERMINE TRANSFeree ELIGIBILITY	7-11
A. Citizenship Requirements	7-11
B. Organizational Requirements	7-11
C. Legal Capability	7-11
D. Requirements for Existing Borrowers	7-12
E. Identity-of-Interest.....	7-12
F. Insurance.....	7-12
G. Site Control	7-13
7.12 PROJECT ELIGIBILITY	7-13
7.13 NON-PROGRAM TRANSFERS [<i>7 CFR 3560.406 (l)</i>]	7-13
SECTION 4: EVALUATING THE TRANSFeree.....	7-15
7.14 FINANCIAL REQUIREMENTS.....	7-15
7.15 MANAGEMENT CAPACITY	7-15
7.16 ANALYSIS	7-15
SECTION 5: EVALUATING THE PROJECT.....	7-17
7.17 PROJECT COMPLIANCE AND FINANCIAL FEASIBILITY	7-17
7.18 PHYSICAL INSPECTION	7-17
A. Finalize Detailed Repair and Rehabilitation Plans and Costs [<i>7 CFR 3560.406 (d)(7)</i>].....	7-17
B. Civil Rights and Disability Compliance	7-18
C. Environmental Review [<i>7 CFR 3560.406 (d)(4)</i>]	7-19

7.19 FINANCIAL FEASIBILITY	7-20
A. Budget/Reasonable Rents [<i>7 CFR 3560.406 (d)(2)</i>]	7-20
B. Loan Structure	7-20
7.20 ANALYSIS	7-22
SECTION 6: MAKING THE DECISION	7-23
7.21 ASSESS THE OVERALL RISK AND THE IMPACT ON THE AGENCY AND TENANTS	7-23
7.22 COMPLETE AND VERIFY APPLICABLE FORMS	7-23
7.23 TRANSMIT THE DOCUMENT TO STATE OFFICE AND OGC FOR REVIEW	7-24
A. State Office Review	7-24
B. Decision to Approve the Transfer	7-24
C. Issue Letter of Conditions/Closing Instructions	7-24
7.24 AGENCY APPROVAL	7-24
7.25 AGENCY DISAPPROVAL/REJECTION	7-25
SECTION 7: PROCESSING AND CLOSING THE TRANSFER	7-25
7.26 CONDUCT APPRAISAL OF SECURITY PROPERTY [<i>7 CFR 3560.406 (d)(3)</i>]	7-25
7.27 DETERMINE THE APPROPRIATE INTEREST RATE	7-25
A. General	7-25
B. Labor Housing Loans	7-26
7.28 PROCESSING REQUIREMENTS [<i>7 CFR 3560.406 (k)</i>]	7-26
7.29 PROCEDURES FOR PROCESSING TRANSFERS	7-27
A. Determine Current Loan Balances for Transfer	7-27
B. Verify that the Application Docket is Complete	7-27
C. Review Applicable Requirements with Transferee	7-28
D. Write the Transfer Agreement	7-28
E. Prepare to Close the Transfer and Obligate the Subsequent Loan, if Applicable	7-29
F. Close the Transfer	7-29
G. Release from Liability	7-30
H. Assign Leases to Transferee	7-30
I. Shift Accounts, Funds, and Assets to Transferee	7-30
J. Provide Copies of Documents to Transferee	7-31
K. Inform Borrower of Administrative Responsibilities	7-31
L. Schedule a Follow-up Servicing Visit	7-31
M. Address Special Circumstances as Needed	7-31
7.30 MONITORING REHABILITATION WORK.....	7-32
ATTACHMENT 7-A: REVITALIZATION GUIDANCE	
ATTACHMENT 7-B-1: APPLICATION CHECKLIST	
ATTACHMENT 7-B-2: MFH TRANSFER & ASSUMPTION REVIEW & RECOMMENDATION	
ATTACHMENT 7-B-3: MFH TRANSFER & ASSUMPTION APPLICATION SUPPLEMENT	
ATTACHMENT 7-B-4: MFH TRANSFER & ASSUMPTION CONTACTS LIST	
ATTACHMENT 7-B-5: MFH TRANSFER & ASSUMPTION FINANCIAL STATEMENT CERTIFICATION	

ATTACHMENT 7-B-6: MFH TRANSFER & ASSUMPTION CERTIFICATION FOR CONTRACTS

CHAPTER 8: SECURITY RESTRUCTURING REQUESTS.....8-1

8.1 INTRODUCTION.....	8-1
SECTION 1: SUBORDINATIONS AND JUNIOR LIENS [7 CFR 3560.409] 8-1	
8.2 OVERVIEW	8-1
8.3 REQUIRED CONDITIONS	8-1
8.4 EVALUATING BORROWER REQUESTS FOR SUBORDINATIONS AND JUNIOR LIENS	8-2
8.5 PROCEDURES FOR AUTHORIZATION OF SUBORDINATIONS AND JUNIOR LIENS....	8-4
A. Borrower Requests	8-4
B. Processing Borrower Requests.....	8-4
C. Recommendations to State Director.....	8-5
D. Final Decision	8-5
E. Appraisal Procedures.....	8-5
8.6 POST-APPROVAL OF JUNIOR LIENS	8-5
SECTION 2: PARTIAL DISPOSITION OF SECURITY PROPERTY [7 CFR 3560.407] 8-7	
8.7 OVERVIEW	8-7
8.8 ALLOWABLE ACTIONS INVOLVING THE PARTIAL DISPOSITION OF SECURITY PROPERTY	8-7
8.9 ALLOWABLE USES FOR PROCEEDS FROM PARTIAL DISPOSITION OF SECURITY PROPERTY	8-8
8.10 REQUIRED CONDITIONS FOR AGENCY CONSENT	8-8
8.11 PROCESSING BORROWER REQUESTS	8-8
A. Borrower Submission.....	8-9
B. Agency Review	8-9
C. Agency Decision and Notice to Borrower.....	8-10
8.12 AGENCY RELEASE OF SECURITY	8-10
SECTION 3: LEASING OF SECURITY PROPERTY [7 CFR 3560.408] 8-11	
8.13 OVERVIEW	8-11
8.14 LEASES TO PUBLIC HOUSING AUTHORITIES.....	8-11
8.15 LEASE OF A PORTION OF THE SECURITY PROPERTY.....	8-11
8.16 MINERAL LEASES	8-11
SECTION 4: OTHER LIENS AGAINST A PROPERTY OR OTHER ASSETS [7 CFR 3560.409 (d)].....8-13	
8.17 OVERVIEW	8-13
8.18 REQUIRED CONDITIONS	8-13
8.19 AGENCY PROCEDURES	8-13

CHAPTER 9: UNAUTHORIZED ASSISTANCE	9-1
9.1 INTRODUCTION.....	9-1
SECTION 1: TYPES OF UNAUTHORIZED ASSISTANCE	9-1
9.2 OVERVIEW	9-1
9.3 ADDRESSING UNAUTHORIZED ASSISTANCE	9-1
SECTION 2: IDENTIFYING UNAUTHORIZED ASSISTANCE [7 CFR 3560.703]	9-3
9.4 OVERVIEW	9-3
9.5 REQUIREMENTS FOR IDENTIFYING UNAUTHORIZED ASSISTANCE.....	9-3
9.6 METHODS OF IDENTIFYING UNAUTHORIZED ASSISTANCE.....	9-3
9.7 DOCUMENTATION OF UNAUTHORIZED ASSISTANCE	9-4
9.8 NOTICE TO RECIPIENT	9-4
A. Agency Notice to Borrower	9-4
B. Borrower Notice to Tenant.....	9-5
SECTION 3: CORRECTING UNAUTHORIZED ASSISTANCE	9-7
9.9 OVERVIEW	9-7
9.10 ACCOUNT ADJUSTMENTS – AUDIT CASES	9-7
A. Unauthorized Loan	9-7
B. Unauthorized Subsidy Benefits Received Through Use of Incorrect Interest Rate	9-7
C. Unauthorized Interest Credit or Rental Assistance.....	9-8
D. Unauthorized Grant Assistance	9-8
E. Cases Where Recipient Has Both Authorized and Unauthorized Loans Outstanding.....	9-9
F. Liquidation Pending	9-9
G. Liquidation Not Initiated	9-9
9.11 ACCOUNT ADJUSTMENTS – NONAUDIT CASES	9-9
SECTION 4: RECAPTURE OF UNAUTHORIZED ASSISTANCE TO BORROWERS.....	9-11
9.12 OVERVIEW	9-11
9.13 REQUIREMENTS FOR COLLECTING UNAUTHORIZED ASSISTANCE [7 CFR 3560.705]	9-11
9.14 AGENCY RECAPTURE OF UNAUTHORIZED ASSISTANCE.....	9-11
A. Overview.....	9-11
B. Procedures for Collection of Unauthorized Assistance	9-13
9.15 REPAYMENT METHODS	9-16
9.16 FULL PREPAYMENT	9-16
SECTION 5: RECAPTURE OF UNAUTHORIZED ASSISTANCE TO TENANTS	9-17
9.17 OVERVIEW	9-17
9.18 REQUIREMENTS FOR COLLECTION OF UNAUTHORIZED ASSISTANCE TO TENANTS [7 CFR 3560.708].....	9-17
9.19 PROCEDURES FOR COLLECTION OF UNAUTHORIZED ASSISTANCE TO TENANTS	9-17

SECTION 6: OFFSETS.....	9-19
9.20 GENERAL OFFSET REQUIREMENTS	9-19
9.21 ADMINISTRATIVE OFFSETS	9-19
9.22 SALARY OFFSETS	9-21
9.23 IRS OFFSETS.....	9-22
SECTION 7: CONTINUATION OF LOAN ACCOUNTS.....	9-23
9.24 OVERVIEW	9-23
9.25 REQUIREMENTS FOR CONTINUATION OF LOAN ACCOUNTS [7 CFR 3560.707]	9-23
9.26 AGENCY DECISION TO CONTINUE ACCOUNT.....	9-23
9.27 SERVICING OPTIONS IN LIEU OF LIQUIDATION OR LEGAL ACTION TO COLLECT	9-23
A. Agency Actions.....	9-24
B. Notice of Determination When Agreement is Not Reached.....	9-24
C. Reporting to OIG.....	9-24
D. Quarterly Reporting to the State Office	9-25
SECTION 8: ENFORCEMENT	9-27
9.28 OVERVIEW	9-27
9.29 AGENCY ACTIONS FOR ENFORCEMENT AGAINST RECIPIENTS OF UNAUTHORIZED ASSISTANCE	9-27
A. Liquidation	9-27
B. Legal Action to Enforce Collection.....	9-27
C. Double Damages	9-28
D. Equity Skimming	9-29
E. Civil Monetary Penalties	9-29
F. Money Laundering.....	9-31
G. Obstruction of Federal Audits	9-31
CHAPTER 10: COMPLIANCE VIOLATIONS, DEFAULTS, AND WORK-OUT AGREEMENTS [7 CFR 3560.453]	10-1
10.1 INTRODUCTION.....	10-1
10.2 ADDRESSING COMPLIANCE VIOLATIONS AND DEFAULTS.....	10-1
SECTION 1: TYPES OF DEFAULTS [7 CFR 3560.452].....	10-3
10.3 OVERVIEW	10-3
10.4 MONETARY DEFAULT	10-3
10.5 NONMONETARY DEFAULT	10-3
SECTION 2: CONDITIONS OF CONCERN, COMPLIANCE VIOLATIONS, AND DEFAULTS.....	10-5
10.6 AGENCY CLASSIFICATION SYSTEM	10-5
10.7 FINDINGS	10-6
10.8 VIOLATIONS	10-6
10.9 KEY STEPS IN ADDRESSING COMPLIANCE VIOLATIONS AND DEFAULTS	10-6

10.10 NOTIFICATION TO BORROWER OF SERVICING PROBLEMS.....	10-7
A. Preliminary Notification.....	10-7
B. Borrowers with Multiple Servicing Issues	10-8
10.11 EVALUATING THE PROJECT	10-9
10.12 MEETING WITH THE BORROWER	10-9
10.13 SELECTING SERVICING OPTIONS	10-9
A. Poor Management and Noncompliance with Program Requirements.....	10-9
B. Acceptable Management, but Marketability and Cash Flow Problems.....	10-10
C. Acceptable Management, but Lack of Project Demand	10-10
10.14 THE PROBLEM CASE REPORT.....	10-11
10.15 ENFORCEMENT ACTIONS	10-11
A. Liquidation.....	10-11
B. Debt Settlement	10-12
SECTION 3: DEVELOPING A WORK-OUT AGREEMENT [7 CFR 3560.453]	10-13
10.16 OVERVIEW OF WORK-OUT AGREEMENTS	10-13
10.17 CONDITIONS WARRANTING A WORK-OUT AGREEMENT	10-13
A. Financial Deficiencies.....	10-13
B. Physical Deficiencies	10-13
C. Fair Housing Deficiencies	10-14
D. Occupancy Deficiencies.....	10-14
10.18 ELIGIBILITY FOR WORK-OUT AGREEMENTS	10-14
A. Program Property	10-14
B. Owner Evaluation.....	10-14
10.19 CONTENT OF A WORK-OUT AGREEMENT	10-14
10.20 CONDITIONS PLACED ON THE BORROWER	10-14
10.21 PRIORITIES IN MEETING EXPENDITURES.....	10-15
10.22 LENGTH OF TERM AND AUTHORITIES	10-16
A. Term of Work-Out Agreement.....	10-16
B. Authority to Approve Work-Out Agreements.....	10-17
10.23 AGENCY REVIEW AND APPROVAL [7 CFR 3560.453(b)]	10-17
A. Evaluation of Work-Out Agreement	10-17
B. Procedures Following Approval of Agreement.....	10-18
10.24 CANCELING A WORK-OUT AGREEMENT.....	10-18
SECTION 4: SPECIAL SERVICING ACTIONS.....	10-19
10.25 SPECIAL SERVICING ACTIONS THAT MAY BE A PART OF A WORK-OUT AGREEMENT	10-19
A. Servicing Actions to Change Project Operations	10-19

B. Changes to the Loan Account.....	10-23
SECTION 5: MONITORING THE WORK-OUT AGREEMENT AND SUBSEQUENT SERVICING	10-25
10.26 MONITORING WORK-OUT AGREEMENTS	10-25
10.27 SUBSEQUENT SERVICING AND IMPACT ON FUTURE LOANS	10-25
SECTION 6: SPECIAL NOTE RENTS (SNR)	10-27
10.28 OVERVIEW OF SPECIAL NOTE RENTS [7 CFR 3560.210].....	10-27
10.29 SNR ELIGIBILITY REQUIREMENTS	10-27
A. Required Project Conditions	10-27
B. Borrower Requirements.....	10-27
10.30 SUBMITTING AND PROCESSING SNR REQUESTS.....	10-28
10.31 CHANGES TO AND TERMINATION OF SNRS	10-28
10.32 RESTRICTION ON NEW UNITS	10-29
SECTION 7: ENFORCEMENT	10-31
10.33 MULTI-FAMILY HOUSING ENFORCEMENT TEAM	10-31
10.34 REQUESTING ENFORCEMENT TEAM SERVICES	10-31
CHAPTER 11: LOAN RESTRUCTURING	11-1
11.1 INTRODUCTION.....	11-1
SECTION 1: ALLOWABLE TYPES OF RESTRUCTURING	11-1
11.2 OVERVIEW	11-1
11.3 LOAN AGREEMENT OR LOAN RESOLUTION CONSOLIDATION REQUIREMENTS [7 CFR 3560.410]	11-2
11.4 LOAN CONSOLIDATION REQUIREMENTS [7 CFR 3560.410]	11-2
11.5 REAMORTIZATION REQUIREMENTS [7 CFR 3560.455 (b)]	11-2
11.6 LOAN ADJUSTMENT (WRITEDOWN) REQUIREMENTS [7 CFR 3560.455(c)].....	11-3
SECTION 2: LOAN AGREEMENT OR LOAN RESOLUTION/LOAN CONSOLIDATION	11-3
11.7 OVERVIEW	11-3
11.8 BORROWER SUBMISSIONS	11-3
A. Loan Agreement or Loan Resolution Consolidation.....	11-3
B. Loan Consolidation	11-4
11.9 AGENCY PROCESSING OF BORROWER SUBMISSIONS	11-4
A. Loan Agreement or Loan Resolution Consolidation.....	11-4
B. Loan Consolidation	11-5
SECTION 3: LOAN REAMORTIZATION	11-7
11.10 OVERVIEW	11-7
11.11 ACCEPTABLE USES OF REAMORTIZATIONS.....	11-7

A. Allowable Conditions for Reamortizations	11-7
B. Requirements for Obtaining a Reamortization	11-8
11.12 BORROWER SUBMISSIONS	11-8
11.13 AGENCY REVIEW AND APPROVAL	11-8
A. Field Office Actions	11-8
B. Evaluating Borrower Requests	11-8
C. Approval Recommendation and State Office Review	11-9
D. National Office Exception	11-9
E. OGC Guidance	11-10
F. Agency Denial of Request	11-10
11.14 ADDITIONAL EVALUATION FOR REQUESTS INVOLVING DELINQUENCIES OR COMPLIANCE VIOLATIONS	11-10
A. Project Feasibility	11-10
B. Property is Adequately Maintained	11-10
C. Housing Remains Affordable	11-11
D. Compliance with Agency Regulations is Maintained	11-11
11.15 PROCESSING REAMORTIZATIONS	11-11
A. Complete Reamortization Agreement	11-11
B. Obtain <i>Form RD 3560-52</i> and Assumption Agreement	11-11
C. Establish End of the Reamortization Period	11-11
D. Establish Interest Rate	11-12
E. Address Delinquent Reserve Accounts	11-12
F. Obtain OGC Guidance As Needed	11-13
G. Execute New Interest Credit Agreement	11-13
H. Close the Reamortization	11-13
I. Meet Other Procedural Requirements	11-13
SECTION 4: LOAN WRITEDOWNS	11-15
11.16 OVERVIEW	11-15
11.17 ALLOWABLE USES	11-15
11.18 BORROWER SUBMISSIONS	11-15
11.19 AGENCY REVIEW AND APPROVAL	11-16
A. Appraisal	11-16
B. OGC Advice	11-16
C. Approval	11-16
11.20 PROCESSING WRITEDOWNS	11-16
CHAPTER 12: ACCOUNT LIQUIDATION [7 CFR 3560.456]	12-1
12.1 INTRODUCTION	12-1
SECTION 1: MAKING THE DECISION TO LIQUIDATE	12-1
12.2 AN OVERVIEW OF LIQUIDATION OPTIONS	12-1

A. Voluntary Liquidation.....	12-1
B. Foreclosure.....	12-2
C. Acquisition of Chattel Property.....	12-2
12.3 NET RECOVERY VALUE.....	12-2
A. Establishing Market Value	12-3
B. Environmental Considerations	12-3
C. Ordering an Appraisal	12-4
D. Holding Period	12-5
E. Deductions from Market Value	12-5
F. Additions to Market Value.....	12-6
12.4 BASIC SECURITY LOSS.....	12-6
12.5 ACCOUNT LIQUIDATION	12-6
A. Making the Decision to Liquidate	12-6
B. Possible Outcomes of Agency's Decision to Liquidate.....	12-7
SECTION 2: LIQUIDATION PROCEDURES.....	12-9
12.6 OVERVIEW	12-9
12.7 VOLUNTARY CONVEYANCE.....	12-9
A. Payment of Liens.....	12-9
B. Required Components of an Offer of Voluntary Conveyance.....	12-9
C. Appraisals.....	12-10
D. Decisions.....	12-10
E. Closing of Conveyance.....	12-11
12.8 FORECLOSURE	12-11
A. Making the Acceleration Decision	12-11
B. Acceleration.....	12-12
C. Review of the Acceleration Decision	12-13
D. Transfers and Subsequent Loans During Foreclosure	12-13
E. Foreclosure Notice	12-13
F. Determining the Government's Bid at Foreclosure Sale	12-14
G. After Foreclosure.....	12-14
12.9 ACQUISITION OF CHATTEL PROPERTY.....	12-14
SECTION 3: DEBT SETTLEMENT	12-17
12.10 BORROWER ELIGIBILITY	12-17
12.11 APPLICATION REQUIREMENTS	12-17
12.12 COMPROMISE AND ADJUSTMENT.....	12-18
A. Secured Debts.....	12-18
B. Unsecured Debts.....	12-18
C. Handling Payments.....	12-19
D. Delinquent Adjustment Agreement.....	12-19
12.13 CHARGE-OFF.....	12-19

12.14 CANCELLATION	12-19
A. Cancellation with Application.....	12-20
B. Cancellation without Application.....	12-20
C. Processing and Approving Cancellations	12-20
12.15 REFERRAL TO THE DEPARTMENT OF TREASURY	12-20
ATTACHMENT 12-A: NET RECOVERY VALUE WORKSHEET	
CHAPTER 13: OTHER SPECIAL CASES [7 CFR 3560.458 through 3560.459]	13-1
13.1 INTRODUCTION.....	13-1
SECTION 1: PROPERTY ISSUES	13-1
13.2 OVERVIEW OF PROPERTY ISSUES	13-1
13.3 ABANDONMENT	13-2
A. Indicators of Abandonment.....	13-2
B. Contacting Prior Lien Holders.....	13-2
C. Making Emergency Health and Safety Repairs.....	13-2
D. Appointing a Caretaker or Management Agent.....	13-3
E. Addressing the Agency's Relationship with the Borrower.....	13-4
13.4 VALUELESS LIENS.....	13-4
A. Declaring a Valueless Lien	13-4
B. Documenting Valueless Liens	13-5
13.5 OTHER SECURITY	13-5
13.6 OBTAINING ADDITIONAL SECURITY TO PROTECT AGENCY INTERESTS	13-5
A. State Director Authorization	13-6
B. OGC Advice.....	13-6
13.7 SECURITY ISSUES INVOLVING PROJECTS WITH PARTICIPATION LOANS	13-6
SECTION 2: BORROWER ISSUES.....	13-7
13.8 OVERVIEW OF BORROWER ISSUES.....	13-7
13.9 REQUIREMENTS FOR ADDRESSING BORROWER ISSUES	13-7
A. Bankruptcy	13-7
B. Divorce	13-7
C. Membership Liability Agreements	13-8
CHAPTER 14: MANAGEMENT AND DISPOSAL OF REAL ESTATE OWNED PROPERTY	14-1
14.1 INTRODUCTION.....	14-1
14.2 OVERVIEW OF THE CHAPTER.....	14-1

SECTION 1: MANAGEMENT OF CUSTODIAL AND REO PROPERTY	14-3
14.3 OVERVIEW	14-3
14.4 MANAGEMENT METHODS AND CONTRACTS.....	14-3
A. Selecting a Management Contractor	14-3
B. Management Contract Requirements	14-4
C. Management Costs	14-4
D. Project Funds.....	14-4
14.5 TAKING POSSESSION	14-4
A. Taking Custodial Possession.....	14-4
B. Acquiring an REO Property	14-5
14.6 INSPECTING AND SECURING CUSTODIAL AND REO PROPERTY	14-6
A. Inspecting and Classifying the Property.....	14-6
B. Securing Custodial and REO Property	14-7
14.7 DISPOSITION OF NONSECURITY PROPERTY	14-7
A. Custodial Property.....	14-7
B. REO Property	14-8
14.8 TAXES AND INSURANCE.....	14-8
A. Taxes	14-8
B. Insurance	14-9
14.9 PHYSICAL MAINTENANCE AND REPAIR	14-9
A. Vandalism and Theft	14-10
B. Off-Site Repairs or Improvements	14-10
14.10 SPECIAL USES OF REO	14-10
A. Transitional Housing for the Homeless.....	14-10
B. Mineral Leases	14-11
SECTION 2: DISPOSITION OF REO PROPERTY [7 CFR 3560.503]	14-13
14.11 OVERVIEW	14-13
A. Sale Methods and Pricing.....	14-13
B. Financing	14-13
C. Warranty.....	14-13
14.12 PRICING AND SALES SCHEDULES	14-13
A. Appraisals.....	14-14
B. Sales Schedules and Administrative Price Reductions.....	14-14
14.13 MARKETING AND ADVERTISEMENT	14-15

A. Fair Housing and Affirmative Fair Housing Marketing Plan	14-16
B. Truth in Lending Requirements.....	14-16
C. Advertising and Marketing Methods.....	14-16
D. Review of Marketing for Unsold Properties	14-17
14.14 SPECIAL MARKETING TECHNIQUES.....	14-17
A. Buyer Incentives.....	14-17
B. Broker Incentives	14-17
C. Acquisition of Land, Easements, or Rights-of-Way to Effect Sale	14-18
14.15 REO PROPERTY NOT MEETING PHYSICAL STANDARDS	14-18
A. Notice of Occupancy Restriction	14-19
B. Quitclaim Deed Restrictive Covenant	14-19
C. Release of Restrictive Covenant.....	14-20
14.16 DISPOSITION BY PUBLIC DRAWING	14-20
A. Listing the Property.....	14-21
B. Submission Requirements	14-22
C. Receiving and Considering Offers	14-22
D. Cancellation of Sales Contracts.....	14-23
14.17 DISPOSITION BY SEALED BID OR AUCTION	14-23
A. Establishing the Minimum Acceptable Offer.....	14-23
B. Publicizing the Sale.....	14-23
C. Sealed Bid Procedures.....	14-23
D. Auction Procedures	14-25
14.18 NEGOTIATED SALE	14-26
14.19 DISPOSAL OF PROPERTY FOR SPECIAL PURPOSES	14-26
14.20 DISPOSAL AS CHATTEL OR SALVAGE	14-26
SECTION 3: ENVIRONMENTAL REQUIREMENTS.....	14-27
14.21 OVERVIEW	14-27
14.22 PROPERTY LOCATED WITHIN A SPECIAL FLOOD OR MUDSLIDE HAZARD AREA OR CONTAINS WETLANDS	14-27
14.23 COASTAL BARRIER RESOURCES SYSTEMS	14-28
14.24 NATIONAL REGISTER OF HISTORIC PLACES	14-28
14.25 UNDERGROUND STORAGE TANKS (UST)	14-28
14.26 MANAGEMENT OF HAZARDOUS SUBSTANCES AND PETROLEUM PRODUCTS	14-28
14.27 LEAD-BASED PAINT	14-29
14.28 PROTECTIVE COVENANTS RESTRICTIONS AND EASEMENTS	14-29
SECTION 4: PROCESSING AND CLOSING	14-31
14.29 OVERVIEW	14-31
14.30 SPECIAL NOTICES AT SALE.....	14-31
14.31 INSPECTION	14-32
14.32 PRORATING REAL ESTATE TAXES AND/OR ASSESSMENTS	14-32
14.33 COMMISSIONS	14-32
14.34 TRANSFERRING TITLE.....	14-32

14.35 REPORTING SALE	14-32
SECTION 5: PROCESSING CREDIT SALES ON NON-PROGRAM TERMS.....	14-33
14.36 OVERVIEW	14-33
14.37 TERMS OF A NON-PROGRAM CREDIT SALE.....	14-33
14.38 ACCEPTING OFFERS.....	14-33
14.39 APPROVAL.....	14-34
14.40 CLOSING SALE	14-34
14.41 SERVICING THE NON-PROGRAM LOAN	14-35
ATTACHMENT 14-A: LEAD-BASED PAINT DISCLOSURE FORM	
CHAPTER 15: PROJECT PRESERVATION	15-1
15.1 INTRODUCTION.....	15-1
15.2 OVERVIEW OF THE CHAPTER.....	15-1
SECTION 1: PRESERVATION AND ELIGIBILITY FOR PREPAYMENT.....	15-3
15.3 OVERVIEW	15-3
15.4 BORROWERS ELIGIBLE TO REQUEST PREPAYMENT [7 CFR 3560.652].....	15-3
15.5 MEETING WITH THE BORROWER.....	15-3
15.6 TENANT NOTIFICATION REQUIREMENTS [7 CFR 3560.654]	15-4
15.7 REQUIREMENTS FOR PREPAYMENT REQUESTS [7 CFR 3560.653]	15-5
15.8 RECEIPT OF PREPAYMENT REQUESTS.....	15-6
15.9 COMPLETENESS REVIEW	15-6
15.10 DETERMINATION OF PREPAYMENT FEASIBILITY	15-7
A. Borrower's Funds.....	15-7
B. Third-Party Lender.....	15-8
C. Sale	15-8
15.11 ELIGIBILITY DETERMINATION	15-8
SECTION 2: LOANS CLOSED BEFORE 1979 OR LOANS WITH NO RESTRICTIVE AGREEMENTS	15-9
15.12 PREPAYMENT WAITING LIST	15-9
15.13 MAKING THE INCENTIVE OFFER—OVERVIEW	15-9
15.14 GENERAL INCENTIVE OFFER.....	15-9
15.15 SPECIFIC INCENTIVE REQUIREMENTS [7 CFR 3560.656]	15-9
15.16 TYPES OF INCENTIVES [7 CFR 3560.656(c)]	15-10
A. Rental Assistance	15-11
B. Increase in Annual Return	15-11
C. Excess HUD Section 8 Rents	15-11
D. Project Conversion or Modification of Interest Rate.....	15-11
E. Agency Equity Loans	15-11
F. Third-Party Equity Loans	15-12
15.17 DEVELOPMENT OF THE INCENTIVE OFFER	15-12
15.18 AGENCY OFFER OF INCENTIVES	15-12
15.19 BORROWER ACCEPTANCE OF INCENTIVES AND SUBSEQUENT ACTIONS [7 CFR 3560.657]	15-13

A. Borrower Acceptance.....	15-13
B. Closing the Incentive Offer	15-13
C. Transfers.....	15-14
15.20 INSUFFICIENT FUNDING FOR INCENTIVES	15-14
15.21 BORROWER REJECTION OF INCENTIVE OFFER AND SUBSEQUENT ACTIONS [7 CFR 3560.658]	15-14
15.22 DETERMINATION OF PREPAYMENT IMPACT	15-16
A. Prepayment Impact on Projects without Rental Assistance	15-16
B. Prepayment Impact on Projects with Rental Assistance.....	15-17
C. Processing the Prepayment.....	15-18
D. Monitoring Compliance with the Use Restrictions	15-18
SECTION 3: LOANS CLOSED BETWEEN 1979 AND 1989 WITH A RESTRICTIVE AGREEMENT	15-19
15.23 APPLICABILITY	15-19
15.24 REQUEST BORROWER TO REMAIN IN PROGRAM.....	15-19
15.25 SALE TO A NONPROFIT OR PUBLIC BODY [7 CFR 3560.659]	15-19
15.26 ESTABLISHING THE PROJECT VALUE	15-20
15.27 MARKETING REQUIREMENTS	15-20
15.28 SELECTING AN OFFER	15-21
15.29 LOANS MADE BY THE AGENCY OR OTHER SOURCES TO NONPROFIT ORGANIZATIONS AND PUBLIC AGENCIES	15-22
15.30 POSTSALE REQUIREMENTS	15-23
15.31 REQUIREMENTS FOR BORROWERS IF AN ACCEPTABLE PURCHASER IS NOT FOUND	15-24
SECTION 4: SPECIAL CIRCUMSTANCES	15-25
15.32 PROPERTIES UNDER BANKRUPTCY OR FORECLOSURE	15-25
15.33 ADVANCE PAYMENT OF ACCOUNTS.....	15-25
ATTACHMENT 15-A: OVERVIEW OF PREPAYMENT PROCESS	
ATTACHMENT 15-B: EXPLANATION OF INCENTIVE OFFERS	
ATTACHMENT 15-C: SAMPLE LETTERS TO TENANTS	
ATTACHMENT 15-D: INCENTIVE CALCULATION WORKSHEET AND DIRECTIONS	
ATTACHMENT 15-E: RESTRICTIVE-USE PROVISIONS AND AGREEMENTS	

APPENDICES

- Appendix 1: Text of 7 CFR Part 3560
- Appendix 2: Text of 7 CFR Part 11
- Appendix 3: Forms Referenced in this Handbook
- Appendix 4: Handbook Letters Referenced in this Handbook